

21 C.J.S. Courts § 23

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Courts

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II. Jurisdiction of Courts

C. Jurisdiction of Subject Matter or Cause of Action

2. Amount in Controversy Within Subject Matter Jurisdiction

a. General Considerations

§ 23. Amount in controversy as limitation on subject matter jurisdiction

[Topic Summary](#) | [References](#) | [Correlation Table](#)

West's Key Number Digest

West's Key Number Digest, Courtskey119.1, 120, 121(1), 168

Under various constitutional or statutory provisions, courts of general jurisdiction are limited in their jurisdiction to cases involving amounts in excess of a specified amount, and inferior courts of limited jurisdiction are limited in their jurisdiction to actions involving amounts below or between specified amounts.

In general, the amount or value of the matter in controversy is an essential element in the determination of the subject matter jurisdiction of courts,¹ whether the amount is a threshold jurisdictional floor² or a ceiling on claims before the particular court.³

The absence of jurisdiction may require dismissal of an action timely shown to be outside the court's jurisdictional limitations on amounts in controversy⁴ or may require transfer of the action

to the court with jurisdiction.⁵ A judgment rendered in an action outside the court's jurisdictional amount limit is void⁶ and thus insufficient as a basis for res judicata in relation to subsequently asserted claims in a court with proper jurisdiction.⁷

The courts may have discretion to address lesser claims in limited circumstances⁸ and may leave the issue of jurisdictional amount to be decided after a trial on the merits when the amount is in dispute.⁹

While, generally, a court of limited jurisdiction lacks jurisdiction to award a judgment in excess of an amount specified as jurisdictional,¹⁰ under some authority, a statutory limitation on the amount in controversy is not a limitation on the court's power to render a judgment, as long as the original amount in controversy is within the jurisdictional limit, and the fact that the damages later exceed that limit does not prevent the court from rendering judgment.¹¹

CUMULATIVE SUPPLEMENT

Cases:

Regardless of whether or not co-buyer who brought action against credit union met the monetary jurisdictional threshold for the district court, the district court independently acquired jurisdiction due to co-buyer's request for injunctive relief; taking co-buyer's allegations in the complaint as true, that she and other class members would suffer irreparable injury if credit union was not enjoined from further wrongful collection activities, co-buyer alleged actual and threatened injury. [Castillo v. United Federal Credit Union](#), 409 P.3d 54 (Nev. 2018).

Court rule requiring district court to transfer to superior court, rather than dismiss, action for which damages exceeded district court's jurisdictional limit of \$100,000, was rule of procedure that did not impermissibly infringe on legislature's sole constitutional authority to prescribe powers, duties, and jurisdiction of district courts; rule did not impermissibly extend district court's subject matter jurisdiction. [Wash. Const. art. 4, § 10; WA R Civ Ltd Juris CRLJ 14A\(b\). Banowsky v. Guy Backstrom, DC](#), 445 P.3d 543 (Wash. 2019).

[END OF SUPPLEMENT]

Footnotes

- 1 Ala.—[Ex parte Safety-Kleen Systems, Inc.](#), 142 So. 3d 1182 (Ala. Civ. App. 2013).
- Ga.—[Setlock v. Setlock](#), 286 Ga. 384, 688 S.E.2d 346 (2010).
- Haw.—[Fisher v. Grove Farm Co., Inc.](#), 123 Haw. 82, 230 P.3d 382 (Ct. App. 2009).
- Mass.—[Zizza v. Zizza](#), 456 Mass. 401, 923 N.E.2d 1018 (2010).
- Tex.—[Rodney R. Elkins & Co. v. Immanivong](#), 406 S.W.3d 777 (Tex. App. Dallas 2013).
- As to jurisdictional amount requirements in federal district courts, see C.J.S., Federal Courts §§ 809 to 816.
- 2 Ala.—[Ex parte Safety-Kleen Systems, Inc.](#), 142 So. 3d 1182 (Ala. Civ. App. 2013).
- Fla.—[Haueter-Herranz v. Romero](#), 975 So. 2d 511 (Fla. 2d DCA 2008).
- Haw.—[Fisher v. Grove Farm Co., Inc.](#), 123 Haw. 82, 230 P.3d 382 (Ct. App. 2009).
- Ky.—[Netherwood v. Shake](#), 2012 WL 5289532 (Ky. 2012).
- Mass.—[Ari Weitzner, M.D., P.C. v. Cynosure, Inc.](#), 85 Mass. App. Ct. 77, 5 N.E.3d 953 (2014) review denied, 468 Mass. 1103, 8 N.E.3d 279 (2014).
- N.C.—[Musarra v. Bock](#), 200 N.C. App. 780, 684 S.E.2d 741 (2009).
- Ohio—Ohio Director of Transp. of State v. Eastlake Land Dev. Co., 177 Ohio App. 3d 379, 2008-Ohio-3013, 894 N.E.2d 1255 (8th Dist. Cuyahoga County 2008).
- Tex.—[AIC Management v. Crews](#), 246 S.W.3d 640 (Tex. 2008).
- 3 Colo.—[Arnold v. Anton Co-op. Ass'n](#), 293 P.3d 99 (Colo. App. 2011).
- Conn.—[Newtown Pool Service, LLC v. Pond](#), 140 Conn. App. 514, 59 A.3d 378 (2013).
- Fla.—[Johnson v. American First Federal, Inc.](#), 133 So. 3d 559 (Fla. 1st DCA 2014).
- Mass.—[Zizza v. Zizza](#), 456 Mass. 401, 923 N.E.2d 1018 (2010).
- N.C.—[4U Homes & Sales, Inc. v. McCoy](#), 762 S.E.2d 308 (N.C. Ct. App. 2014).
- Wash.—[City of Seattle v. Sisley](#), 164 Wash. App. 261, 263 P.3d 610 (Div. 1 2011).
- Tex.—[Rodney R. Elkins & Co. v. Immanivong](#), 406 S.W.3d 777 (Tex. App. Dallas 2013).
- 4 Mass.—[Zizza v. Zizza](#), 456 Mass. 401, 923 N.E.2d 1018 (2010).
- Tex.—[Rodney R. Elkins & Co. v. Immanivong](#), 406 S.W.3d 777 (Tex. App. Dallas 2013).
- 5 Tex.—[Kormanik v. Seghers](#), 362 S.W.3d 679 (Tex. App. Houston 14th Dist. 2011).
- 6 Ark.—[Piper v. Potlatch Federal Credit Union](#), 2009 Ark. App. 701, 371 S.W.3d 704 (2009).
- 7 Ga.—[Setlock v. Setlock](#), 286 Ga. 384, 688 S.E.2d 346 (2010).

- 8 Mass.—[Ari Weitzner, M.D., P.C. v. Cynosure, Inc.](#), 85 Mass. App. Ct. 77, 5 N.E.3d 953 (2014) review denied, [468 Mass. 1103](#), 8 N.E.3d 279 (2014).
- 9 Ala.—[Ex parte Safety-Kleen Systems, Inc.](#), 142 So. 3d 1182 (Ala. Civ. App. 2013).
- 10 Cal.—[Ytuarre v. Superior Court](#), 129 Cal. App. 4th 266, 28 Cal. Rptr. 3d 474 (2d Dist. 2005).
- Mich.—[Clohset v. No Name Corp.](#), 302 Mich. App. 550, 840 N.W.2d 375 (2013), appeal denied, [495 Mich. 990](#), 844 N.W.2d 725 (2014).
- 11 Tex.—[State Farm Fire & Cas. Co. v. Griffin](#), 888 S.W.2d 150 (Tex. App. Houston 1st Dist. 1994).

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